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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/169,190 10/08/98 FREDENBURG

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EXAMINER

LM01/0119

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ART UNIT

PAPER NUMBER

2747

DATE MAILED:

01/19/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/169,190

Applicant(s)

FREDENBURG

Examiner  
Patrick N. Edouard

Group Art Unit  
2747



☒ Responsive to communication(s) filed on Sep 30, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 34-40, 42-47, and 49-55 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☒ Claim(s) 40, 42-47, and 49 is/are allowed.

☒ Claim(s) 34-39 and 50-55 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit:

### **DETAILED ACTION**

1. This Office Action is in response to communication filed 5-10-99 (paper #6) . Claims 34-40, 42-47 and 49-55 are pending.

#### ***Allowable Subject Matter***

2. The following is a statement of reasons for the indication of allowable subject matter: as per claims 40, the prior art of record do not teach wherein a matching step uses correspondence phonetic entry to match said at least one correspondence in generating a compressed pronunciation dictionary.

#### ***Claim Rejections - 35 USC § 112***

3. Claims 34 and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 34, the limitation “a correspondence symbol for identifying the correspondence set and for use as a compressed data entry in generating said compressed pronunciation dictionary” is confusing because in the specification the correspondence symbol is not used as a data entry.

Art Unit:

Claims 35-39 and 50-55 incorporate the problem of claims 34 and 50 respectively by dependency.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 34-39 and 50-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heising (5,333,313) in view of (5,799,276) as set forth in prior Office Action (paper #5) .

Applicant's arguments filed 9-30-99 have been fully considered but they are not persuasive because of the following reasons.

In response to applicant's argument that Komissarchik does not teach a correspondence symbol which is used to identify the correspondence set as a compressed data entry. Examiner respectfully disagrees. In fact, the features upon which the applicant relies is rejected under 112 para.(see 112 rejection) for being indefinite. Applicant pointed out that this feature is described in the application on page 17, lines 13-17. Examiner noted that this feature is not described in the specification as claimed. In fact, the terminology used in the claim "a correspondence symbol...and for use as a compressed data entry" is confusing. Examiner further noted that the

Art Unit:

specification on page 6, lines 15-16, described "each correspondence set includes an identifier referred to as a correspondence symbol" and on page 17, lines 13-17 described "the symbol set ...as the compressed data entry representing the dictionary word". It is confusing which terminology the applicant intended to use in the claims since the correspondence symbol is the identifier for one set and the symbol set is the identifier for many sets .

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305-9508 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA.,

Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m.-6:00 p.m.

Art Unit:

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen , can be reached on (703) 30305-4386.

The facsimile phone number for this Art Unit is (703) 305-9508. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

November, 1999



FORESTER W. ISEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700